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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HONORIO ESTEVES FLORES,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 07-70367

Agency No. A96-064-375

MEMORANDUM \*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted June 18, 2008 \*\*

Before: REINHARDT, LEAVY, and CLIFTON, Circuit Judges.

Honorio Esteves Flores, a native and citizen of Mexico, petitions pro se for review of the decision of the Board of Immigration Appeals denying his third

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

motion to reopen the underlying denial of his application for cancellation of removal. The BIA concluded that the motion was numerically barred under 8 C.F.R. § 1003.2(c)(2).

Petitioner contends that numerical and time bars should not prevent consideration of his motion because he established an exception to the bar by demonstrating that there are changed country conditions in Mexico giving rise to his prima facie eligibility for relief under the Convention Against Torture.

The BIA acted within its discretion in concluding that petitioner's third motion to reopen was numerically barred. *See* 8 C.F.R. § 1003.2(c). Also, petitioner failed to demonstrate changed country conditions to establish an exception to the bar. *See Konstantinova v. INS*, 195 F.3d 528, 530 (9th Cir. 1999).

**PETITION FOR REVIEW DENIED.**